



WISCONSIN

DEPARTMENT OF WORKFORCE DEVELOPMENT
Division of Economic Support
Bureau of Work Support Programs

TO: **Economic Support Supervisors
Economic Support Lead Workers
Training Staff
Child Care Coordinators
W-2 Agencies**

FROM: Stephen M. Dow
Policy Analysis & Program Implementation Unit
Work Programs Section

BWSP OPERATIONS MEMO

No.: 00-71

File: 7060

Date: 10/11/2000

Non W-2 ☐ W-2 ☐ CC ☒

PRIORITY: High

SUBJECT: **CHILD CARE**

1. ELIGIBILITY FOR KINSHIP CARE PARENTS

**2. NEW COPAYMENT RULES FOR FOSTER CARE, COURT
ORDERED & NON-COURT ORDERED KINSHIP CARE CHILDREN**

CROSS REFERENCE: Child Day Care Manual, Chapter 2, 2.2.1
BWSP Operations Memo 98-66

EFFECTIVE DATE: Apply the clarification of policy regarding child care eligibility for Kinship Care Parents immediately for new applications and at the next review for ongoing cases.

Apply the new copay rules to authorizations for foster care, court ordered and non-court ordered kinship care children effective October 23, 2000.

PURPOSE

This memo:

- Clarifies policy regarding child care eligibility for kinship care parents
- Explains new copay rules for foster care, court ordered and non court ordered kinship care

BACKGROUND

ELIGIBILITY

The Office of Child Care(OCC) has received several questions regarding child care eligibility determinations for kinship care cases. Specifically, local agencies have requested clarification of the definition of “court ordered” kinship care” and the requirement to receive the kinship grant in order to use the natural parent’s income in order to determine eligibility for child care.

After reviewing the statutes, it was determined that OCC’s policy was outside of the authority of the statute. The policy incorrectly defined court ordered kinship care as a court order placement with a kinship care relative. The policy also stated incorrectly that the kinship care relative does not have to be receiving a kinship care grant in order to use the natural parent’s income when determining financial eligibility.

COPAY

There has been a change in the copay policy for foster care and court order kinship care parents where the copay amount has changed from a minimum copay to a zero copay responsibility. Authorizations for non-court order kinship care children will continue to be calculated using the minimum copay responsibility.

POLICY

CLARIFICATION OF KINSHIP CARE ELIGIBILITY

The natural parents’ income at the time the child(ren) were removed from the home is used to determine eligibility if the following requirements have been met:

1. The individual providing care for the child is a relative under a court order or guardianship
2. The individual is receiving a kinship care payment to care for the child or is on a waiting list in order to receive payment

Example: Grandma has a court order placing her 2 grandchildren with her. Grandma has not applied for the kinship care grant. Grandma works and is applying for child care subsidy.

In this case scenario, use Grandma’s household income in order to determine eligibility for child care for the 2 grandchildren. If Grandma had applied for the kinship care grant and was eligible to receive it, the grandchildren’s natural parent’s income would have been used to determine eligibility.

In the past, OCC has incorrectly indicated that the kinship care parent does not need to be receiving the kinship care grant or on a waiting list to do so. Where a relative who is not receiving the kinship care grant has been determined eligible to receive child care subsidy for “kinship care children” using the natural parent’s income, there may not be eligibility. These cases must be corrected by using the relative’s income in order to determine eligibility the next time the case is touched either to process a change reported by the case or at the next review.

NEW FOSTER CARE, COURT ORDERED AND NON-COURT ORDERED KINSHIP CARE COPAY

In the past, authorizations to foster and kinship (court ordered and non-court ordered) care children were calculated using the minimum copay. On CCAC, the copay type code used for foster and kinship (court ordered and non-court ordered) care children was FOS and KIN respectively.

Effective October 23, 2000 there are new copay levels for foster, court order and non-court ordered kinship care children. The new copay levels are as follows:

1. Foster Care Copay

Zero copay will be used in calculating authorizations made for foster care children when the copay type selected on CCAC is FOS.

NOTE: Prior to October 23, 2000, the copay type FOS would calculate the authorization using the minimum copay.

2. Court ordered Kinship Care Copay

Zero copay will be used in calculating authorizations made to children who have been placed through a court ordered placement or guardianship with a kinship care relative. The kinship care relative does not have to receive a kinship care grant in order to use the copay type KIN. The copay type KIN should be used on CCAC for children that meet these criteria.

NOTE: Prior to October 23, 2000, the copay type KIN would calculate the authorization using the minimum copay.

3. Non-court ordered Kinship Care Copay

The minimum copay will be used when calculating authorizations made to children who are being cared for by a relative who does not have a court ordered placement. The kinship care relative does not have to receive a kinship care grant in order to use the new copay type NCK (non-court ordered kinship care). The copay type NCK should be used for children that meet these criteria.

There will be new copay edits on CCAC in order that the correct copay type is used for the purposes of calculating the authorization amount. The copay edit will depend on what is entered in the foster and kinship care benefit/court ordered questions on ANBR and ANBC respectively.

IMPLEMENTATION OF NEW COPAY TYPES

A report will be sent to the child care coordinator in each agency identifying any cases where there are authorizations where the end date spans over 10/21/00 that use either the copay type FOS or KIN.

Each agency will need to review the case and determine the correct copay type.

All authorizations will need to be ended and reentered with a begin date no earlier than 10/22/00 in order for the copay type to calculate at the correct level (zero copay for KIN and FOS and minimum copay for NCK).

SUMMARY

PLACEMENT	ELIGIBILITY	COPAY TYPE
Foster Care	Natural Parent Income	FOS – zero copay
1. Kinship Care Relative 2. Court Ordered Placement or Guardianship 3. No Kinship Care Grant	Kinship Care Relative Income	KIN – zero copay
1. Kinship Care Relative 2. Court Ordered Placement or Guardianship 3. Kinship Care Grant or Waiting List for Grant	Natural Parent Income	KIN – zero copay
1. Kinship Care Relative 2. No Court Ordered Placement or Guardianship 3. No Kinship Care Grant	Kinship Care Relative Income	NCK – minimum copay
1. Kinship Care Relative 2. No Court Ordered Placement or Guardianship 3. Kinship Care Grant or Waiting List for Grant	Kinship Care Relative Income	NCK – minimum copay